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Hon. Katharine S. Hayden, U.S.D.J. Federal Building & U.S. Courthouse 50 Walnut Street, Room 311 Newark, NJ 07102

Re: USA v. Carolyn Jackson

Case No. 2:13-cr-00290-KSH-1

Dear Judge Hayden:

Kindly accept this letter in lieu of a formal application to request that the Court set bail, effective November 24, 2017, to permit Carolyn Jackson to be released pending resentencing.

As Your Honor will recall, on December 15, 2015, Mrs. Jackson was sentenced to a term of imprisonment of 24 months. On July 6, 2017, a majority of a panel of the United States Court of Appeals for the Third Circuit determined that Mrs. Jackson should be resentenced.

Accordingly, the Court vacated her Judgment of Conviction. A Petition for Rehearing *En Banc* was denied on September 6, 2017.

Mrs. Jackson began serving her sentence on March 2, 2016 and is scheduled for release from the Tallahassee Federal Correctional Institution on November 24, 2017, after completing the custodial portion of her sentence. On October 31, 2017, Mrs. Jackson was advised that, upon

completion of her sentence on November 24, 2017, she will be released to the custody of the United States Marshals Service. Previously, she had been advised that she would be released and that her husband could pick her up at the institution.

Upon her release on November 24 (and even now), Mrs. Jackson's status is addressed by 15 U.S.C. § 3143(a)(1). That is, she is "a person who has been found guilty of an offense and who is awaiting imposition...of sentence." That statute directs that she "be detained, unless the judicial officer finds by clear and convincing evidence that the person is not likely to flee or pose a danger to the safety of any other person or the community if released."

Mrs. Jackson was released prior to trial and, without objection from the Government, was continued on bail until, and after, sentencing. We submit that, because Mrs. Jackson plainly meets the standard for release, the same conditions should prevail once she is released from custody on November 24.

As the date of Mrs. Jackson's release is rapidly approaching, we seek guidance from Your Honor as to whether a more formal application is needed and, if so, we ask that an expedited schedule be established to address this issue.

Respectfully yours,

JAVERBAUM WURGAFT HICKS KAHN WIKSTROM & SININS

By: Rubin M. Sinins

RMS/jlc

cc: Office of the United States Attorney

Carol Gillen, A.F.P.D. David Holman, A.F.P.D.

United States Office of Pre-Trial Services